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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,730	12/30/2003	Alexander M. Franz	GOOGP016	9049
23689	7590	04/04/2007		
Jung-hua Kuo Attorney At Law PO Box 3275 Los Altos, CA 94024			EXAMINER HO, BINH VAN	
			ART UNIT 2163	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/04/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/749,730

Applicant(s)

FRANZ ET AL.

Examiner

Binh V. Ho

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 19-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>08/31/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement document number US 2003/217052 filed on 08/31/2005, the information referred to therein has not been considered because this document number could not be retrieved in USPTO database.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

With respect to claim 19, the claim is rejected under 35 U.S.C. 101 for being directed toward non-statutory subject matter. It appears that the computer readable medium that is claimed by the Applicant is not limited to physical articles or objects, which are structurally and functionally interrelated to the program in such a manner that would enable the program to act as a computer component and realize any functionality. In paragraph [0006], the Applicant states that the computer readable medium for which the computer program of the invention can embodied is a computer network wherein program instructions are sent over optical or electronic communication lines. This type of computer readable medium does not meet the criteria set forth above.

It is noted that in this instance, Applicant's specification clearly distinguishes between media, which store versus a media, which would convey or transmit the program. Therefore, an amendment to the claims to recite a 'computer readable

Art Unit: 2163

storage medium' would be favorably considered. Appropriate clarification or correction is required.

Claims 20-21, depend from rejected claim 19 thereby render these dependent claims as nonstatutory.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Kupiec (US 5,696,962).

(Claims 1, 19, 22, 24, and 27-28)

Kupiec discloses in figures 1-7, a method comprising receiving a query containing at least one query term; performing at least one of: (A) determining whether the query includes one or more compound query terms, and if so, automatically expanding the query to include one or more alternative representations of said one or more compound query terms; (B) determining whether one or more query terms are included in a set of inflectional forms, and if so, automatically expanding the query to include one or more corresponding inflectional forms from the set of inflectional forms; and (C) determining whether one or more query terms are included in a set of alternative spellings, and if so, automatically expanding the query to include one or more corresponding alternative spellings from the set of alternative spellings; searching

Art Unit: 2163

a database using the expanded query; and returning results to a user (Abstract, co. 2, lines 1-13; col. 8, lines 4-17; col. 12, lines 51-65; col. 17, lines 48-58; col. 22, lines 54-62; col. 23, lines 7-16, 32-35; col. 26, lines 65 +; col. 27, lines 9-31; claim 1, 3-4, 39).

(Claim 2)

Kupiec discloses in which the method includes determining whether the query includes one or more compound query terms, and if so, automatically expanding the query to include one or more alternative representations of said one or more compound query terms (Abstract, col. 12, lines 51-65; col. 23, lines 7-16, 32-35).

(Claims 3, 5, and 29)

Kupiec discloses in which the method includes determining whether one or more query terms are included in a set of inflectional forms, and if so, automatically expanding the query to include one or more corresponding inflectional forms from the set of inflectional forms (Abstract, col. 12, lines 51-65; col. 23, lines 7-16, 32-35; claims 3-4, 39).

(Claim 4)

Kupiec discloses in which the method includes determining whether one or more query terms are included in a set of alternative spellings, and if so, automatically expanding the query to include one or more corresponding alternative spellings from the set of alternative spellings (Abstract, col. 26, lines 65 +; col. 27, lines 9-13).

(Claims 6 and 10)

Kupiec discloses in which the method includes performing at least two of said (A), (B), and (C) (co. 2, lines 1-13; col. 8, lines 4-17; col. 12, lines 51-65; col. 17, lines

Art Unit: 2163

48-58; col. 22, lines 54-62; col. 23, lines 7-16, 32-35; col. 26, lines 65 +; col. 27, lines 9-31; claim 1, 3-4, 39).

(Claims 7-8, 26)

Kupiec discloses in which determining whether the query includes one or more compound query terms includes comparing a query term to a list of compound terms (col. 8, lines 4-40; col. 11, lines 25-35, 55 +; col. 12, lines 51-65; col. 23, lines 49-59; col. 24, lines 1-5).

(Claim 9)

Kupiec discloses in which the query is written in German (Abstract, col. 5, lines 42-47; col. 6, lines 58 +; col. 7, lines 55-62), (written in German is only text, the query except all texts).

(Claim 20)

Kupiec discloses further including instructions that, when executed by a processor, cause the processor to perform actions comprising: searching a database of documents using the expanded query; identifying one or more documents responsive to the expanded query; and preparing a list of said one or more documents for transmission to the user (col. 8, lines 13-27; col. 11, lines 25-35, 59-62; col. 23, lines 49-55; col.24-26).

(Claim 21)

Kupiec discloses further including instructions that, when executed by a processor, cause the processor to perform actions comprising: sending the expanded

query to another computer system; and receiving from the other computer system a list of one or more documents responsive to the expanded query (col. 6, lines 26-44).

(Claim 23)

Kupiec discloses in which the one or more linguistic techniques comprise one or more of compound term expansion, inflection set expansion, or orthographic expansion (col. 3, lines 64-67; col. 4, lines 29-30, 48-60; col. 5, lines 1-4; col. 8, lines 42-45; col. 27, lines 47 +; col. 39, lines 64 +; claim1).

(Claim 25)

Kupiec discloses in which determining whether the query includes one or more compound query terms includes comparing a query term to a list of compound terms (col. 11, lines 15-24).

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 19, 22, 24, and 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Rubenczyk (US 2003/0217052).

(Claims 1, 19, 22, 24, and 27-28)

Rubenczyk discloses in figures 1-2, a method comprising receiving a query containing at least one query term; performing at least one of: (A) determining whether the query includes one or more compound query terms, and if so, automatically expanding the query to include one or more alternative representations of said one or more compound query terms; (B) determining whether one or more query terms are

Art Unit: 2163

included in a set of inflectional forms, and if so, automatically expanding the query to include one or more corresponding inflectional forms from the set of inflectional forms; and (C) determining whether one or more query terms are included in a set of alternative spellings, and if so, automatically expanding the query to include one or more corresponding alternative spellings from the set of alternative spellings; searching a database using the expanded query; and returning results to a user (Paragraph [0143]-[0154], [0234]-[0252], [0314]-[0320], [0371]-[0382], [0395]-[0396], [0419], [0421], [0432], [0434], [0640]-[0642], [0661]).

6. Claims 1, 19, 22, 24, and 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Brin (US 2005/0027691).

(Claims 1, 19, 22, 24, and 27-28)

Brin discloses in figures 1, 5-7, a method comprising receiving a query containing at least one query term; performing at least one of: (A) determining whether the query includes one or more compound query terms, and if so, automatically expanding the query to include one or more alternative representations of said one or more compound query terms; (B) determining whether one or more query terms are included in a set of inflectional forms, and if so, automatically expanding the query to include one or more corresponding inflectional forms from the set of inflectional forms; and (C) determining whether one or more query terms are included in a set of alternative spellings, and if so, automatically expanding the query to include one or more corresponding alternative spellings from the set of alternative spellings; searching a database using the

Art Unit: 2163

expanded query; and returning results to a user (Paragraph [0007], [0009], [0033], [0036], [0057]).


Inquiry

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh V. Ho whose telephone number is 571 272 8583. The examiner can normally be reached on M-F from 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Binh V Ho
Examiner
Art Unit 2163


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